

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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| LIBERTY MUTUAL INSURANCE COMPANY, |) | CIVIL ACTION |
| |) | NO. 96-10804-DPW |
| |) | NO. 1:04-CV-10655-DPW |
| Plaintiff, |) | (Boarhead Farm) |
| |) | NO. 1:04-CV-10968-DPW |
| v. |) | (Uniontown Landfill) |
| |) | |
| THE BLACK & DECKER CORPORATION, |) | |
| BLACK & DECKER, INC., BLACK & DECKER |) | |
| (U.S.) INC., EMHART CORPORATION, and |) | |
| EMHART INDUSTRIES, INC., |) | |
| |) | |
| Defendants. |) | |

**ASSENTED TO MOTION FOR LEAVE TO FILE UNDER SEAL
THE REPLY MEMORANDUM IN SUPPORT OF BLACK & DECKER'S
MOTION FOR SUMMARY JUDGMENT REGARDING
THE BOARHEAD FARM AND UNIONTOWN LANDFILL SITES**

Black & Decker, with the assent of Liberty Mutual, moves, pursuant to Local Rule 7.2, for leave to file under seal its Reply Memorandum In Support of Black & Decker's Motion For Summary Judgment Regarding The Boarhead Farm And Uniontown Landfill Sites. This memorandum responds to Liberty Mutual filings which themselves were filed under seal. Pursuant to Local Rule 7.2, Black & Decker requests that this Court enter an Order authorizing the sealing of this memorandum, filed in connection with its summary judgment motions.

Black & Decker also requests that the Court maintain this document under seal until this action is closed and, thereafter, that this document be returned to counsel.

By their attorneys,

Dated: December 20, 2004

/s/ Jack R. Pirozzolo

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